

JC03 Rec'd PCT/PTO 19 MAY 2005

ST. GEORGE &amp; CARNEGIE



Intellectual Property Attorneys

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## FACSIMILE COVER PAGE

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|           |                  |               |                          |
|-----------|------------------|---------------|--------------------------|
| To:       | US Patent Office | Sent:         | 05/19/2005 9:07 AM       |
| Company:  | Fee Payment      | Pages:        | 5 (including Cover Page) |
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Please find attached a credit payment for U.S. Patent Application listed below in regard to NOTIFICATION OF DEFECTIVE RESPONSE.

Application No.: 10/031,806  
Attorney Docket No: D8242-PCT  
Inventor: Cour BrainX  
Payment Amount: \$25

Attachments:  
Fee Transmittal Form  
Credit Card Payment Form  
Copy of the Notice received from the USPTO

If you need anything else, please let us know.

Don Carnegie

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5405 Alton Parkway, Suite 5A #540 Irvine, CA 92604 Phone 949.854.8405 Fax 949.854.5445

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PTO/5B/17 (10-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 25

## Complete if Known

Application Number 10/031,806  
 Filing Date 11/19/2003  
 First Named Inventor Cour Brain X  
 Examiner Name  
 Art Unit  
 Attorney Docket No. D 8242 - PCT

## METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account:  
 Deposit Account Number 19-4415  
 Deposit Account Name St. George & Carnegie

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or any underpayment of fee(s)  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 1001 790                   | 2001 395                   | Utility filing fee     |          |
| 1002 350                   | 2002 175                   | Design filing fee      |          |
| 1003 550                   | 2003 275                   | Plant filing fee       |          |
| 1004 790                   | 2004 395                   | Reissue filing fee     |          |
| 1005 160                   | 2005 80                    | Provisional filing fee |          |
| SUBTOTAL (1)               |                            |                        | (\$ )    |

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims  -20\*\* =  X  =   
 Independent Claims  -3\*\* =  X  =   
 Multiple Dependent  = 25

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 1202 18                    | 2202 9                     | Claims in excess of 20                                     |          |
| 1201 88                    | 2201 44                    | Independent claims in excess of 3                          |          |
| 1203 300                   | 2203 150                   | Multiple dependent claim, if not paid                      |          |
| 1204 88                    | 2204 44                    | ** Reissue independent claims over original patent         |          |
| 1205 18                    | 2205 9                     | ** Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2)               |                            |  | (\$ 25   |

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 1051 130                   | 2051 65                    | Surcharge - late filing fee or oath  |          |
| 1052 50                    | 2052 25                    | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130                   | 2053 65                    | Non-English specification  |          |
| 1812 2,520                 | 1812 2,520                 | For filing a request for ex parte reexamination                            |          |
| 1804 920*                  | 1804 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*                | 1805 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 1251 110                   | 2251 55                    | Extension for reply within first month                                     |          |
| 1252 430                   | 2252 215                   | Extension for reply within second month                                    |          |
| 1253 980                   | 2253 490                   | Extension for reply within third month                                     |          |
| 1254 1,530                 | 2254 765                   | Extension for reply within fourth month                                    |          |
| 1255 2,080                 | 2255 1,040                 | Extension for reply within fifth month                                     |          |
| 1401 340                   | 2401 170                   | Notice of Appeal   |          |
| 1402 340                   | 2402 170                   | Filing a brief in support of an appeal                                     |          |
| 1403 300                   | 2403 150                   | Request for oral hearing   |          |
| 1451 1,510                 | 1451 1,510                 | Petition to institute a public use proceeding                              |          |
| 1452 110                   | 2452 55                    | Petition to revive - unavoidable   |          |
| 1453 1,370                 | 2453 685                   | Petition to revive - unintentional   |          |
| 1501 1,370                 | 2501 685                   | Utility issue fee (or reissue)   |          |
| 1502 490                   | 2502 245                   | Design issue fee   |          |
| 1503 660                   | 2503 330                   | Plant issue fee  |          |
| 1480 130                   | 1480 130                   | Petitions to the Commissioner  |          |
| 1807 50                    | 1807 50                    | Processing fee under 37 CFR 1.17(q)  |          |
| 1808 180                   | 1808 180                   | Submission of Information Disclosure Stmt                                  |          |
| 8021 40                    | 8021 40                    | Recording each patent assignment per property (times number of properties) |          |
| 1809 790                   | 2809 395                   | Filing a submission after final rejection (37 CFR 1.129(b))                |          |
| 1810 790                   | 2810 395                   | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 790                   | 2801 395                   | Request for Continued Examination (RCE)                                    |          |
| 1802 900                   | 1802 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ )

## SUBMITTED BY

Name (Print/Type) Dgn Carnegie

Registration No. (Attorney/Agent)

39622

(Complete if applicable)

Telephone 949-854-8406

Signature

Date

05/19/2005

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## UNITED STATES PATENT AND TRADEMARK OFFICE

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|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/031,806                  | Cour Brain X          | D 8242 - PCT     |

INTERNATIONAL APPLICATION NO.

PCT/US00/12686

I.A. FILING DATE

05/08/2000

PRIORITY DATE

05/12/1999

Donald Wensky  
 5405 Alton Parkway-Suite 5A  
 Suite 540  
 Irvine, CA 92604

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CONFIRMATION NO. 8650

371 FORMALITIES LETTER

\*OC00000015799430\*

05/20/2005 LWDNDIM1 00000012 10031806

01 FC:2292

25.00 OP

Date Mailed: 04/21/2005

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 11/13/2001
- Copy of the International Search Report filed on 11/13/2001
- Copy of IPE Report filed on 11/13/2001
- Oath or Declaration filed on 11/19/2003
- Request for Immediate Examination filed on 11/13/2001
- U.S. Basic National Fees filed on 11/13/2001
- Priority Documents filed on 06/21/2004
- Power of Attorney filed on 11/19/2003

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Applicant's response filed 06/21/2004 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 05/14/2002 have not been completed.

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$25 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$25 for a Small Entity:

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing

05/24/2005 GFREY1 00000041 10031806

01 FC:2615

25.00 OP

PAGE 4/5 \* RCVD AT 5/19/2005 12:07:37 PM [Eastern Daylight Time] \* SVR:USPTO-EFXXRF-1/4 \* DNIS:8729306 \* CSID:949 854 5445 \* DURATION (mm-ss):02-22

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Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

- Total additional claim fee(s) for this application is \$ 25

- \$25 for 88 total claims over 20.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/031,806                  | PCT/US00/12686                | D 8242 - PCT     |